EXHIBIT C

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Attorneys for Defendant
THRU INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DROPBOX, INC., a Delaware corporation, Plaintiff/Counter-Defendant, v. THRU INC., a Delaware corporation, Defendant/Counter-Plaintiff.	Case No. C 15-01741 EMC **DEFENDANT THRU INC.'S RESPONSES TO PLAINTIFF DROPBOX'S FIRST SET OF INTERROGATORIES**

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendant Thru Inc. ("Thru") makes the following responses to Plaintiff Dropbox, Inc.'s ("Dropbox") First Set of Interrogatories (the "Interrogatories").

OBJECTIONS

Thru objects to Definition 1 if, and to the extent, it extends the meaning of the terms beyond persons controlled by or acting on behalf of Defendant Thru Inc.

Thru objects to Definition 2 because the identities of all "persons controlled by or acting on behalf of Dropbox, Inc." are not known to Thru Inc.

Thru objects to Definition 5 if, and to the extent, that the definition purports to extend the scope of discovery beyond that provided for in the Federal Rules of Civil Procedure, and this Court's rules, as interpreted by precedent cases binding on this Court.

Thru objects to Definition 7 to the extent that it requires Thru to obtain detailed information about third parties, documents, products and services not currently known to it.

OBJECTIONS TO INSTRUCTIONS

Thru objects to the Instructions to the extent they seek to impart on Thru a duty to obtain and provide information not required by the Federal Rules of Civil Procedure and this Court's rules, as interpreted by precedent cases binding on this Court.

RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 1: Describe, in detail, the manner in which you conceived of and selected the DROPBOX mark. Include in your description the reasons why you selected and adopted the DROPBOX mark identify any marks that were considered in the process of selecting the DROPBOX mark, and specify all relevant dates and the identities of each person involved in the conception and selection of the DROPBOX mark.

OBJECTION: Thru objects to this Interrogatory to the extent it seeks information that is not relevant to any claim or defense and not likely to lead to the discovery of admissible evidence. Thru further objects as this interrogatory seeks information beyond that allowed by Fed. R. Civ. P. 26(b)(1) because it is not proportional to the needs of the case. Thru further objects that this interrogatory purports to be a single interrogatory but contains discrete subparts.

RESPONSE:

a) Thru wanted a way of replacing anonymous FTP which would also have no direct connection to the file system, that is to say, a blind upload to a predefined folder.

b) The name came from moving an electronic file to be delivered to a user into a separate electronic file folder from which the user could retrieve it.

c) The mark DROPBOX was first attributed to Daniel Hurtubise of Thru in a product road map email sent 04/18/2003 from Sean-Michael Daley. The mark was approved by Lee Harrison.

INTERROGATORY NO. 2: Explain the meaning of the word "dropbox" as used in this sentence on your website: "Consumer dropbox applications have attracted millions of users, and the popularity of these solutions is growing by leaps and bounds."

OBJECTION: Thru objects to this Interrogatory to the extent it seeks information that is not relevant to any claim or defense and not likely to lead to the discovery of admissible evidence. Thru further objects to this Interrogatory to the extent it calls for speculation. Thru further objects as this Interrogatory seeks information beyond that allowed by Fed. R. Civ. P. 26(b)(1) because it is not proportional to the needs of the case.

RESPONSE: “Drop” is a verb meaning, inter alia, to fall suddenly or unexpectedly. “Box” is a noun meaning, inter alia, a rigid receptacle, usually rectangular in cross section with a lid. The quoted sentence is a reference to Plaintiff's commercial activities which have caused some of Thru's enterprise customers to question the security and robustness of Thru's product.

INTERROGATORY NO. 3: Set forth, in detail, the basis for your claim that the DROPBOX mark is distinctive as applied to Thru's products or services, whether inherently or via secondary meaning. Include in your description all relevant dates, the facts supporting the exact earliest date of secondary meaning on which you will rely in this proceeding to establish your rights in the mark DROPBOX and specify the geographic area(s), as applicable.

OBJECTION: Thru objects that this Interrogatory purports to be a single interrogatory but contains discrete subparts.

RESPONSE: See response to Interrogatory No. 2. As a suggestive mark, DROPBOX does not require secondary meaning. Nevertheless, the relevant purchasing public for Thru's services recognize DROPBOX as denoting services provided by Thru. The DROPBOX functionality has been on the all Thru websites and portals nationally at least since May 24, 2004. Email marketing campaigns, national magazine ads pointed prospect back to the Thru websites. To the extent needed, DROPBOX acquired secondary meaning as a result of Thru's continuous use of the mark from May 2004 onward. Secondary meaning was established prior to September 1, 2009.

INTERROGATORY NO. 4: Set forth, in detail, the basis for your claim that your rights in the DROPBOX mark are superior to Dropbox's rights in the DROPBOX mark, including the facts that support the exact earliest date of first use on which you will rely in this proceeding to establish your rights in the mark DROPBOX.

RESPONSE: Thru's continuous use of the trademark DROPBOX since as early as May 24, 2004, which is prior to the priority date of Dropbox's rights in the DROPBOX mark.

a) Internet Archive shows Thru's date of first use as May 24, 2004.

b) Thru's DROPBOX feature is internet delivered and is on the front page of every Thru portal available anywhere in the United States.

c) Email from 4/17/2003 and the belief that DROPBOX is Thru's trademark.

INTERROGATORY NO. 5: Describe, in detail, the manner in which you have used the DROPBOX mark. Your description should include the products and services you have offered under the mark and the time periods and geographic areas that those products and services were marketed under the mark in.

OBJECTION: Thru objects to this Interrogatory to the extent it seeks information that is not relevant to any claim or defense and not likely to lead to the discovery of admissible evidence. Thru further objects as this Interrogatory seeks information beyond that allowed by Fed. R. Civ. P. 26(b)(1) because it is not proportional to the needs of the case. Thru further objects to this Interrogatory to the extent it is unduly burdensome.

RESPONSE:

a) The Dropbox functionality has been included in all Thru products and services since the functionality was added in 2004.

b) At least since May 24, 2004 till now.

c) Information responsive to this Interrogatory can be determined from Thru's business records produced in this proceeding as THRU-001194.

d) There were 362,842 unique IP address that accessed Thru in the U.S. out of 500,000,000 accesses. This map is about 1,000 sample points rendered of Thru usage by IP address.

Additional information responsive to this Interrogatory can be determined from Thru's business records produced in this proceeding as THRU-002490 to THRU-010011.

INTERROGATORY NO. 6: For each product or service you identify in response to Interrogatory No. 5, list by calendar year the expenditures you have made on advertising, marketing and promotion in the United States.

OBJECTION: Thru objects to this Interrogatory to the extent it seeks information that is not relevant to any claim or defense and not likely to lead to the discovery of admissible evidence. Thru further objects as this Interrogatory seeks information beyond that allowed by Fed. R. Civ. P. 26(b)(1) because it is not proportional to the needs of the case. Thru further objects to this Interrogatory to the extent it is unduly burdensome.

RESPONSE:

a) The Dropbox functionality has been included in all Thru products and services since inception.

b) At least since May 24, 2004 till now.

c) Information responsive to this Interrogatory can be determined from Thru's business records produced in this proceeding as THRU-001194.

d) There were 362,842 unique IP address that accessed Thru in the U.S. out of 500,000,000 accesses. This map is about 1,000 sample points rendered of Thru usage by IP address.

Additional information responsive to this Interrogatory can be determined from Thru's business records produced in this proceeding as THRU-002490 to THRU-010011.

Additional information responsive to this Interrogatory can be determined from Thru's business records produced in this proceeding as THRU-011195.

INTERROGATORY NO. 7: Identify the first time you publicly identified on your website the word "Dropbox" or any variation as a trademark or service mark. Include in your response the date of the first time you used either the "TM" or "SM" symbol in connection with the DROPBOX mark.

RESPONSE: At least as early as May 24, 2004.

INTERROGATORY NO. 8: Describe, in detail, each incident, known to you, of actual confusion (including reverse confusion) between you or any of your products and services and Dropbox or any of its products or services. Include in your description the identities of the persons most knowledgeable about each such incident.

RESPONSE:

6 tradeshows where prospects asked if we were part of Dropbox, Inc., Lee Harrison, Ian Snead and Sergey Arutiunov are most knowledgeable about these events.

From: Ong, Paul [mailto:Paul.Ong@sage.com]
Sent: Tuesday, February 28, 2012 9:06 PM
To: Vincent Friske
Subject: Thruinc comparison vs Dropbox and Box.net

Hi Vincent

Long time no see.

I am researching Dropbox and Box.net for iPad users to use DocumentToGo (apple apps) to sycn their pc document to their iPad.

Do you have any comparison guide or chart between Thruinc dropbox and Dropbox.com or Box.net?

What are the advantages of Thruinc in comparison to Dropbox and Box.net? Given Dropbox offers 2GB free storage, a lot of people will use it.

Kind Regards,
Paul

Paul Ong, IS Administrator — Sage Business Solutions

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error, please notify the sender and delete it.

From: Frederick Yu [mailto:frederick.yu@thruinc.com]
Sent: Monday, October 01, 2012 11:08 AM
To: helpcenter@thruinc.net
Cc: CKT
Subject: RE: New escalated case 2093

Hi CK,
Could you look into this? I don't see a site name for him in SF, the account name is Industrial Concepts.

Thanks
From: helpcenter@thruinc.net [mailto:helpcenter@thruinc.net]
Sent: Monday, October 01, 2012 10:56 AM
To: helpcenter@thruinc.net
Subject: New escalated case 2093
Thru LLC
Case.........2093
Issue........HowTo's

Has been escalated and requires your attention.

Please the case details below.

Regards,
Fused Solutions

ResponseID: 6229 Time: 10/01/12 11:55:44 am

ResponseID: 6227 Time: 10/01/12 11:14:56 am

I received a VM:
803 572 2738
James Neal calling and no other message

I called him back
He states he is the football coach in SC
he wants to cancel his dropbox account. It automatically re-upped his account and charged his Visa
James Neal
1413 lyttleton Street
camven. SC
From: Vincent Friske <vincent.friske@thruinc.com>
To: Rick Tilmans <crovff7@vahoo.com>
Sent: Fridav. November 2. 2012 8:50 AM
Subiect: RE: drooboх document haked

Hello Rick-

I cannot find record of DFAC. Are vou using Drooboх services from drooboх.com or Thru Inc services on a portal with address that includes thruinc.net?

Thank vou.
Vincent

Vincent Friske. PMP
VP Client Services
Phone +1.214.496.0100 X2118
Mobile +1.214.476.5575
Dropbox send Secure Email & Large Files

From: Rick Tilmans [mailto:crovff7@vahoo.com]
Sent: Fridav. November 02. 2012 10:48 AM
To: Vincent Friske
Subiect: Re: drooboх document haked

DFAC EC Access

From: Vincent Friske <vincent.friske@thruinc.com>
To: Rick Tilmans <crovff7@vahoo.com>: "helpcenter@thruinc.net" <helpcenter@thruinc.net>
Sent: Fridav. November 2. 2012 8:35 AM
Subiect: RE: drooboх document haked

Hello Rick-

Thru Support has received vour support request. What is vour portal address – portalname.thruinc.net?

Thank you,

Vincent

Vincent Friske. PMP
VP Client Services
Phone +1.214.496.0100 X2118
Mobile +1.214.476.5575
Dropbox send Secure Email & Larae Files

From: Rick Tilmans [mailto:crovff7@vahoo.com]
Sent: Fridav. November 02. 2012 10:28 AM
To: helpcenter@thruinc.net
Subiect: dropbox document haked

Dear Sir or Madam.

Please call me asap since all text from a vital document seems to have disappeared and I am in full-blown panic mode because I need this document for an upcoming lawsuit involving $100.000+.

Thanks in advance.

Rick at 602-5710017

From: Joyce [mailto:jcflanagan1255@sbcglobal.net]
Sent: Monday, November 12, 2012 8:48 PM
To: Vincent Friske
Subject: Re: Thru follow-up support request case 3818

Ok thank notice

Flan

On Nov 12, 2012, at 6:02 PM, Vincent Friske <vincent.friske@thruinc.com> wrote:

Hello Joyce-

I am sorry I cannot be of assistance. Thru is not associated with dropbox.com. I believe this link will allow you to submit a help request with dropbox.com.
https://www.dropbox.com/support/s/109/5087720/c/102

If you have an account with dropbox.com, this link may be more helpful-
https://www.dropbox.com/support/login

Thank you,
Vincent

Vincent Friske, PMP
VP Client Services
Phone +1.214.496.0100 X2118
Mobile +1.214.476.5575
Dropbox send Secure Email & Large Files
<image001.png>

From: Joyce [mailto:jcflanagan1255@sbcglobal.net]
Sent: Monday, November 12, 2012 4:57 PM
To: Vincent Friske
Subject: Re: Thru follow-up support request case 3818

Hi Vincent

Yes it is about Dropbox.com no I do not have thriunc.net

I just can't find the public folder that allows me to make a link and send it by email.

Joyce

Flan

On Nov 12, 2012, at 5:24 PM, Vincent Friske <vincent.friske@thruinc.com> wrote:

Hello Joyce-

We received support request. It appears in the request you refer to dropbox.com. The support form you submitted is for the company Thru Inc., which is not related to dropbox.com. Is your question about dropbox.com? Do you have an account on a Thru portal with an address that ends with thruinc.net?

Thank you,
Vincent

Vincent Friske, PMP
VP Client Services
Phone +1.214.496.0100 X2118
Mobile +1.214.476.5575
Dropbox send Secure Email & Large Files
<image001.png>

-----Original Message-----
From: Nicholas Blanton [mailto:nicholas.blanton@thruinc.com]
Sent: Friday, November 02, 2012 10:25 AM
To: helpcenter@thruinc.net
Subject: New Case in Salesforce

There is a new case in SF. Who will be following-up?

CASE NUMBER: 00003817
NAME: rick tilmans
COMPANY: n/a
EMAIL: croyff7@yahoo.com
PHONE: 602-571 0017
TYPE: Help Request
SITE: .thruinc.net
PROBLEM DESCRIPTION: all text in my Dropbox document is gone!

https://na4.salesforce.com/5006000000MaSpk

Sample of web searches ending up on www.thruinc.com

1	The New School New York, NY, United States	9/18/2012 1:49:10 PM	dropbox.com
1	Texas A&M University System, Office of Technology Commercialization College Station, TX, United States	9/18/2012 1:45:21 PM	dropbox
1	Bridgton Academy Surry, ME, United States	9/18/2012 1:40:25 PM	
1	VC32 San Jose, CA, United States	9/18/2012 1:21:46 PM	how to integrate ftp with sharepoint
1	CITGO Petroleum Corporation Houston, TX, United States	9/18/2012 1:16:34 PM	
1	Los Angeles CCD Office Los Angeles, CA, United States	9/18/2012 1:16:00 PM	large file transfer laccd
1	The World Bank Group Washington, DC, United States	9/18/2012 1:06:30 PM	drobox
1	ECTOR COUNTY HOSPITAL DISTRICT Odessa, TX, United States	9/18/2012 12:45:52 PM	
1	APi Group, Inc. New Brighton, MN, United States	9/18/2012 12:43:53 PM	
1	Harvard University Cambridge, MA, United States	9/18/2012 12:32:40 PM	secure file transfer dropbox
1	Lincoln Intermediate Unit 12 Chambersburg, PA, United States	9/18/2012 12:08:45 PM	www.dropbox.com
1	EMC Ryde, Australia	9/18/2012 11:41:37 AM	would you use dropbox for business?

INTERROGATORY NO. 9: Describe, in detail, all third-party uses of the DROPBOX mark of which you are aware, the date you became aware, and all efforts you have made to enforce against those third parties the rights you claim in the DROPBOX mark.

RESPONSE: Thru is aware that Dropbox uses the mark DROPBOX and has been aware of that since summer of 2011. Thru has informed Dropbox of Thru's priority of rights in the mark DROPBOX and has filed the current Petition and Opposition. Thru is aware that FilesAnywhere at one time used DROPBOX, but has ceased its use.

Thru has become aware of use of DROPBOX by Carnegie Mellon School of Computer Science, Barry University, and Oakton Community College. See documents produced as THRU-010038 to THRU-010065.

Thru has become aware of use of DROPBOX by Syncplicity, namely "Syncplicity is Drobox for the enterprise," apparently a reference to Plaintiff. See documents produced as THRU-011941 to THRU-011945.

INTERROGATORY NO. 10: Describe, in detail, your decision to file any trademark applications for registration of the mark DROPBOX on behalf of Thru. Include in your description the reason for delaying any such application beyond the alleged first use date indicated in the application and identify each person who participated in any decision to file any trademark application for registration of the mark DROPBOX on behalf of Thru.

OBJECTION: Thru objects to this Interrogatory to the extent it seeks information that is not relevant to any claim or defense in this action. Thru further objects as this Interrogatory seeks information beyond that allowed by Fed. R. Civ. P. 26(b)(1) because it is not proportional to the needs of the case. Thru further objects that this Interrogatory seeks information protected against discovery by the attorney/client privilege.

RESPONSE:

INTERROGATORY NO. 11: Describe any instances in which a third party has challenged the rights you claim in the mark DROPBOX.

RESPONSE: No one, not even Dropbox, Inc.

INTERROGATORY NO. 12: Describe, in detail, the circumstances under which you first became aware of Dropbox and its use of the mark DROPBOX.

RESPONSE: Thomas Skybakmoen brought Dropbox, Inc. trademark violation to Lee Harrison's attention in summer 2011.

INTERROGATORY NO. 13: Describe, in detail, any communications with third parties in which you have claimed rights to the DROPBOX mark.

OBJECTION: Thru further objects as this Interrogatory seeks information beyond that allowed by Fed. R. Civ. P. 26(b)(1) because it is not proportional to the needs of the case. Thru further objects to this Interrogatory to the extent it is unduly burdensome.

RESPONSE:

Hightail, CEO Chief Legal, claimed rights in the trademark DROPBOX

Box, Inc. CEO, CFO, Chief Legal, claimed rights in the trademark DROPBOX

Filesanywhere, CEO claimed rights in the trademark DROPBOX

Microsoft George Morrison, Corporate Business Development off of the CEO, claimed rights in the trademark DROPBOX

Gartner, Analysts - Jess Thompson, Benoit Lheureux, Monica Basso, Paolo Malinverno, Jeffrey Mann, Laurie Wurster, claimed rights in the trademark DROPBOX

Forrester, Analysts Alan Weintraub

PrivCo, Sam Hamadeh, discussed Thru's ownership claim, will include in research at some point.

Goldman Sachs, Hans Sherman, discussed investment in Thru, but not till trademark dispute is settled.

Accel Partner, Pat Pow-anpongkul, discussed investment in Thru, but not till trademark dispute is settled.

Prevail Ventures, Mark Losh, discussed valuations in light of trademark dispute

Bessemer Venture Partners, Paul Lyandres, discussed investment in Thru but not till trademark is settled.

Frontier Capital, Seth Harward, discussed investment in Thru, but not till trademark dispute is settled.

Great Hill Partners, Drew C. Loucks, discussed investment in Thru, but not till trademark dispute is settled.

LLR Partners, Michael Pantilione, discussed investment and trademark value.

Norwest Venture Partners, Jon Kossow, Mike Magnel, discussed investment in Thru and trademark value.

Shea & Company, LLC, Brad McCarthy, discussed investment in Thru and trademark value.

AGC Partners, Scott Card, Michel Skey, investments in Thru and the trademark value.

Rocket Software, John McCullough, acquisition of Thru and the value of the trademark.

Roth Capital, David Enzer, Attunity acquiring Thru and the value of the trademark.

Server Farm Realty, David Tam, OEM Thru and the DROPBOX feature and acquisition of Thru.

UBS, Ben Freeland, acquisition of Thru and the trademark value.

Forrester Analysts, Cheryl McKinnon

Macquarie Capital, Darren McQuarie

ASX Ltd, Damian Roche

INTERROGATORY NO. 14: Identify all variations of the term DROPBOX that you have used, including but not limited to MY DROPBOX, ENTERPRISE DROPBOX, THRU DROPBOX, SECURE DROPBOX and THRU SECURE DROPBOX, and describe, in detail, the manner in which you have used such variation. Include in your description the following: (a) identification of every product and service you have offered in connection with the variation, and (b) the time period (specifying at least month and year) during which you used the variation.

OBJECTION: Thru further objects that this Interrogatory purports to be a single interrogatory but contains discrete subparts. Thru further objects as this Interrogatory seeks information beyond that allowed by Fed. R. Civ. P. 26(b)(1) because it is not proportional to the needs of the case. Thru further objects to this Interrogatory to the extent it is unduly burdensome.

RESPONSE: MY DROPBOX, MY THRU DROPBOX, THRU SECURE DROPBOX, SECURE DROPBOX, DROPBOX ENTERPRISE, ENTERPRISE DROPBOX, DROPBOX FOR THE ENTERPRISE, THRU DROPBOX, RUMBLE DROPBOX

INTERROGATORY NO. 15: Identify all statements relating to Dropbox that you have made to the public or third parties.

OBJECTION: Thru objects to this Interrogatory as vague and overbroad. The scope of the Interrogatory is not limited to issues relevant to this lawsuit. Thru further objects as this Interrogatory seeks information beyond that allowed by Fed. R. Civ. P. 26(b)(1) because it is not proportional to the needs of the case.

RESPONSE: To the extent Thru has made statements relating to Dropbox and the trademark issue in this lawsuit, see answer to Interrogatory No. 13.

Dated: December 14, 2015

Respectfully submitted,

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kmcknight@harveysiskind.com

Attorneys for Defendant
THRU INC.

VERIFICATION

STATE OF TEXAS §
§
COUNTY OF DALLAS §

Before me, the undersigned notary public, on this day personally appeared LEE HARRISON, who, being duly sworn on his oath by me, deposed and stated:

My name is LEE HARRISON. I am over 21 years of age, have never been convicted of a felony or crime of moral turpitude, and am otherwise competent to make this Verification. I am currently the President of Thru Inc. I am familiar with the responses stated in the foregoing Defendant Thru Inc.'s Responses to Plaintiff Dropbox, Inc.'s First Set Of Interrogatories. The information supplied therein is based on my own personal knowledge, on information supplied by other agents of Thru Inc. and on available documents. The information contained in the responses is true, except as to matters which were provided by other agents of Thru Inc. and, as to those matters, I am informed and believe that they are true.

____
Title: President, Thru Inc.

SUBSCRIBED AND SWORN BEFORE ME ON THIS the 6 day of January, 2016.

NOTARY PUBLIC STATE OF TEXAS
CHI KWONG TSANG
Notary Public, State of Texas
My Commission Expires
May 04, 2019

____
Notary Public in and for the State of Texas

PROOF OF SERVICE

I hereby certify that on this 14th day of December, 2015, a true and correct copy of the foregoing document was served via U.S. First Class Mail, postage prepaid on:

John L. Slafsky, Esq.
WILSON SONSINI GOODRICH & ROSATI
650 Page Mill Road
Palo Alto CA 94304-1050
Attorney for Dropbox, Inc.

John M. Cone